

# **JOINT SUBCOMMITTEE TO STUDY STAFFING LEVELS AND EMPLOYMENT CONDITIONS AT THE DEPARTMENT OF CORRECTIONS (SR 34)**

**Meeting #1**

**June 18, 2014**

**General Assembly Building, Richmond, Virginia**

**MEMBERS PRESENT:** Senator David W. Marsden (Co-Chairman), Senator Kenneth C. Alexander, Senator Linda T. Puller, Mr. Donald Baylor, Mr. Steve Morris.

**MEMBERS ABSENT:** Senator Emmett W. Hanger, Jr. (Co-Chairman), Senator Jennifer T. Wexton, The Honorable Kenneth W. Stolle, Mr. Joey O'Quinn.

The first meeting of the Joint Subcommittee to Study Staffing Levels and Employment Conditions at the Department of Corrections pursuant to SR 34 (2014) was held on Wednesday, June 18, 2014, at 2:00 p.m. at the General Assembly Building in Richmond. Following introductions and opening remarks, the Joint Subcommittee elected Senator David Marsden and Senator Emmett Hanger to serve as co-chairmen of the Joint Subcommittee.

## **Scope and Purpose of the Committee**

Ms. Sarah Stanton, Senior Staff Attorney, Virginia Division of Legislative Services, provided an overview of the scope and purpose of the Joint Subcommittee Studying Staffing Standards and Employment Conditions at the Department of Corrections. Ms. Stanton reported that Senate Joint Resolution 34, introduced by Senator Phillip Puckett and adopted by the Senate during the 2014 Session, established the Joint Subcommittee to review "the adequacy of staffing levels, employee health and safety, and turnover rates at the correctional facilities of the Commonwealth." Senate Resolution 34 provides that the Joint Subcommittee shall consist of three legislative members of the Senate Committee on Rehabilitation and Social Services, two legislative members of the Senate Committee on Rules, two nonlegislative citizen members who shall be representatives of an association of correctional officers or employees, and two nonlegislative citizen members who shall be former correctional officers or employees. The Office of the Clerk of the Senate shall provide administrative staff support to the Joint Subcommittee, and the Division of Legislative Services shall provide legal, research, policy analysis and other services as required by the Joint Subcommittee. The Department of Corrections and all other agencies of the Commonwealth shall provide technical assistance to the Joint Subcommittee upon request. The Joint Subcommittee is authorized to meet four times during the 2014 interim and must complete its work by November 30, 2014. An executive summary of the Joint Subcommittee's findings and recommendations must be submitted to the

Division of Legislative Automated Services no later than the first day of the 2015 Regular Session of the General Assembly.

**PRESENTATION: Paul Broughton, Director of Human Resources, Virginia Department of Corrections (DOC)**

Mr. Broughton provided an overview of the Commonwealth's correctional system and staffing levels at the Commonwealth's correctional institutions. Mr. Broughton reported that the DOC operates 42 institutions housing 30,256 offenders, seven detention and diversion centers serving 637 detainees/divertees, and 43 probation and parole districts serving 57,108 offenders.

The DOC's approved personnel level for the institutions, detention and diversion centers, probation and parole districts, three regional offices, and single central headquarters is 12,449.70 employees. As of May 31, 2014, the total number of filled positions was 11,788. Functional staffing areas in major facilities include security, treatment and programs, food services, building and trades, medical, education, and administration. Mr. Broughton provided the following demographic and employment history information about DOC employees generally and corrections officers specifically:

Approximately 49.3% of corrections officers are black, 48.7% are white, and 1.5% are Hispanic.

Nearly 67% of corrections officers are male and 33% are female, with officers of both sexes working at facilities for male and female offenders.

The average age of corrections officers is 39.3 years, with 0.9% of corrections officers less than 20 years of age, 30.2% between 21 and 30 years of age, 21.9% between 31 and 40 years of age, 26.1% between 41 and 50 years of age, 17.6% between 51 and 60 years of age, 3.2% between 61 and 70 years of age, and 0.1% older than 71 years of age.

The average length of service of corrections officers is 7.4 years, with 47.8 % of corrections officers reporting 5 years of service or less, 21.1% reporting 6 to 9 years of service, 10.7% reporting 10 to 14 years of service, 13.6% reporting 15 to 19 years of service, 4.5% reporting 20 to 25 years of service, 1.6% reporting 25 to 29 years of service, and 0.6% reporting 30 or more years of service. Mr. Broughton noted that the proportion of corrections officers with fewer than 5 years of service has diminished over the last 7 years, indicating success in retaining trained corrections officers.

The annual turnover rate for corrections officers, based on the period between July 1, 2013, and May 31, 2014, was 16.47%, the highest turnover rate for corrections officers since the fiscal year ending June 30, 2008. The DOC personnel positions with the highest turnover rates (20% or more) in FY 2013 were nurse technician, registered nurse, psychologist, and food service supervisor. Other positions identified as difficult to fill

included medical and dental service providers and trades positions. Mr. Broughton reported that corrections officer positions at some facilities were also difficult to fill.

Two factors identified as contributing to staffing turnover are low pay and lack of pay increases. Mr. Broughton reported that between November 2007 and July 2013, DOC staff received two one-time bonuses of 3%, which did not affect base pay. In 2013, employees received a 2% raise plus compression pay of 65 percent. Currently, the average salary for corrections officers is \$33,403.

Mr. Broughton also provided information about the Healing Environment Initiative. Through the Initiative, the DOC seeks to ensure an environment that is safe and secure for staff and offenders, that fosters positive change, and in which staff feel engaged and that they are making a difference. A recent survey by the Urban Institute found strong support for the Healing Environment Initiative, with approximately 86% of DOC staff reporting that they believe the healing environment approach is a good strategy. The survey also found that 67% of DOC employees, while acknowledging that their jobs are inherently more dangerous than other available jobs, felt safe in their positions and that only 22% of employees felt that changes made as the Initiative was implemented added a dimension of danger to their jobs.

With regard to safety, Mr. Broughton stated that a total of 1,719 safety-related incidents were reported in 2013, down from a total of 1,964 incidents reported in 2012. No serious assaults on staff, defined as assaults that result in an injury to staff that requires urgent and immediate medical treatment and restricts usual activity, were reported during 2013 compared with three reported in 2012. Mr. Broughton stated that the DOC considers the health and safety of staff paramount in pursuit of its mission, and that the DOC has implemented a health and safety management system that includes comprehensive operating procedures, full-time institutional safety specialists at major institutions, designation of collateral duty safety coordinators at smaller facilities, quarterly statewide training and regional meetings for all institutional safety specialists and safety coordinators, new employee orientation and site-specific safety and health training, Virginia Office of Safety and Health voluntary compliance assistance surveys, Office of Workers' Compensation "Snapshot" health and safety surveys, jurisdictional pressure vessel inspections, multi-causation accident investigation processes, extensive fire prevention and response programs, infectious disease control programs, and a range of certification, accreditation, and other programs to protect the health and safety of staff and offenders.

### **Discussion of Work Plan**

Following Mr. Broughton's presentation, the Joint Subcommittee discussed its work plan for the 2014 interim. Members of the Joint Subcommittee requested that staff arrange site visits to several facilities throughout the Commonwealth, to be conducted in conjunction with the Joint Subcommittee's upcoming meetings. Members also requested that current and retired corrections officers be invited to meet with the Joint Subcommittee to provide input and information about

staffing and safety at correctional facilities. In closing, Senator Marsden stated that the Joint Subcommittee should focus on creating integrated environments in facilities where staff and offenders are safe, health, and supported and in which staff and offenders are able to bring about positive outcomes.

### **Next Meeting**

The date, time, and location of the next meeting of the Joint Subcommittee to Study Staffing Levels and Employment Conditions at the Department of Corrections pursuant to SR 34 (2014) are to be determined. Information about upcoming meetings will be available through the Legislative Information System Meetings calendar.